

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2008-050069

08/01/2016

HONORABLE ROY C. WHITEHEAD

CLERK OF THE COURT

E. Morgenstern

Deputy

IN RE THE MATTER OF  
ROBERT J WAGER

ROBERT J WAGER  
4050 E CACTUS RD #104  
PHOENIX AZ 85032

AND

KIMBERLY BELLE DUNN

KIMBERLY BELLE DUNN  
2342 W MISSOURI  
PHOENIX AZ 85015

TASC - PHOENIX

**MINUTE ENTRY**

Courtroom NE 104

9:50 a.m. This is the time set for Return Hearing on Father's Motion for Temporary Orders Regarding Parenting Time, filed on July 14, 2016. Petitioner is present on his own behalf. Respondent is present on her own behalf.

A record of the proceedings is made digitally in lieu of a court reporter.

Matters discussed.

Parties are sworn.

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**RULE 69 AGREEMENT**

LET THE RECORD REFLECT that the parties have reached an agreement on temporary orders in open Court which is stated on the record.

Both parties testify that the agreement is in fact their agreement, is fair and equitable, is in the best interest of the parties' minor child, and that they agree to be bound by it as an enforceable order of this Court.

THE COURT FINDS that the parties have reached an agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*.

THE COURT FURTHER FINDS that the agreement is fair and equitable and is in the best interest of the parties' minor child, and approves that agreement as an enforceable order of this Court. Accordingly,

**IT IS ORDERED** as follows:

In addition to the agreement as stated on the record, the parties will agree on a parenting time schedule with supervised visitation for Mother, as long as Mother's tests are negative for the next six months.

There will be no modification to child support at this time.

IT IS ORDERED that Mother shall undergo random drug testing on the following basis:

A. Agency. Mother's random drug testing shall be conducted at a location of TASC, Inc., the main office of which is at 2234 North 7th Street, Phoenix, Arizona, 602-254-7328. Other locations are listed on the TASC referral form and may be viewed at [www.tascaz.org](http://www.tascaz.org).

B. First Test. Mother shall report to TASC no later than 5:00 p.m. today for her first test.

C. Scope. Mother shall undergo a full spectrum substance and drug test (Screen "A") for each test ordered herein.

D. Cooperation. Mother shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:

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1. Mother shall provide such samples as are reasonably required by the testing agency to comply with this order.

2. Mother shall timely report for testing and provide samples as directed by the testing agency.

3. Mother shall present photo identification to the testing agency at the time of each test.

4. Mother shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

E. Cost. Mother shall pay the cost of her testing (\$25.00 per test) by money order or cashier's check at the time of testing.

F. Frequency & Duration. Mother shall be randomly tested not less than once per month for six (6) months.

G. Positive/Diluted/Missed Test. In the event that Mother tests positive on any test, misses a random test or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above shall be started again with weekly tests. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child. Certain prescription medications may cause a positive drug test result. Parties who are required to drug test are expected to provide proof to the court of prescriptions and documentation from health care providers regarding the lawful possession and use of those medications.

H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a Monthly Drug Test Summary Report.

ISSUED: Court Ordered Substance Abuse Testing

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**IT IS FURTHER ORDERED** placing this matter on the Inactive Calendar for dismissal on **February 17, 2017**, without further notice unless an appropriate request for relief is submitted on or before that date.

10:02 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.